

Staffing of Alternative Education Programs

The No Child Left Behind (NCLB) legislation needs to be considered in this decision but the State of Michigan allows the local school district to determine staffing requirements for their alternative education teaching staff.

The term “alternative education” is widely used throughout the state to offer different types of programs usually to secondary students. In some instances, the programs are designed to assist students with behavior problems. In other instances, the programs are designed to help low-achieving students. Many times the low-achieving students would be learning at the elementary level.

Only the employing school district can determine the nature of the program, which it is offering. The Michigan General School Laws require that the school districts employ certificated and qualified personnel. Therefore the local school district is required to determine who is qualified to teach in the Alternative Education Program and to make a determination as to whether or not an elementary or secondary certified person is used. Rule 5 of the Administrative Rules, which specify that a person shall hold a certificate valid to the position to which they are assigned, supports this interpretation.